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State of New Jersey

OFFICE OF ADMINISTRATIVE LAW

DECISION

OAL DKT. NO. [EDS8169-99](#)

AGENCY DKT. NO. 00-3030

J. F. AND B. F. O/B/O R. F.,

Petitioners,

v.

LOWER CAMDEN REGIONAL

BOARD OF EDUCATION,

Respondent.

Jamie Epstein, Esq., for petitioners

Barry Chatzinoff, Esq., for respondent (Weinberg, McCormick, Chatzinoff & Zoll,
attorneys)

BEFORE M. KATHLEEN DUNCAN, ALJ:

On August 13, 1999, J.F. and B.F. on behalf of R.F. (hereinafter petitioners) requested a hearing on the issue of residential placement. No mediation conference was conducted at the Department of Education and pursuant to applicable rules and with the agreement of the parties, the hearing was scheduled for September 22, 1999 at the Trenton office of the Office of Administrative Law. In accordance with 20 U.S.C. § 1415 and 34 CFR. § 300.500 the Commissioner of Education requested that an administrative law judge be assigned to conduct the hearing in this matter. Thereafter, pursuant to her powers under [N.J.S.A. 52:14F-5\(o\)](#), the Director of the Office of Administrative Law assigned the undersigned administrative law judge to hear the case. The parties appeared on September 22, 1999, prepared to proceed to hearing. After an extended settlement conference, however, the parties reached a tentative agreement which was executed subject to approval by the respondent Board of Education at its next regularly scheduled meeting. Accordingly, the hearing was rescheduled for October 5, 1999 at the Trenton office of the Office of Administrative Law. A fully executed stipulation of settlement indicating that the Board had approved the agreement at its meeting on September 27, 1999, was received on October 1, 1999, and accordingly the October 5, 1999 hearing date was adjourned.

I have reviewed the record and the terms of the stipulation of settlement/consent order which is attached hereto and made a part hereof as if set forth herein at length and I **FIND:**

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their

representatives' signatures and by testimony on the record on September 22, 1999.

2. The settlement fully disposes of all issues in controversy and is consistent with the law.

I therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded. All issues having been amicably resolved between the parties, I hereby adopt the settlement agreement as my final decision in this case.

This decision is final pursuant to [20 U.S.C.A. §1415\(i\)\(1\)\(A\)](#) and 34 [CFR](#) §300.509 and is appealable by filing a complaint and bringing a civil action either in the Superior Court of New Jersey or in a District Court of the United States. [20 U.S.C.A. §1415\(i\)\(2\)](#), 34 [CFR](#) §300.511. If either party feels that this decision is not being fully implemented, this concern should be communicated in writing to the Director, Division of Special Education.

October 14, 1999 _____

DATE **M. KATHLEEN DUNCAN, ALJ**

cc

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